Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 6/15/2019	Bureau/Station/Facility: Special Enforcement Bureau	Admin. Invest.? ☐ Hit? ☑

Incident Information

URN: 016-16513-0468-013	Date: 11/21/2016 Time: 2110
City or Station: La Mirada	Nature of Incident: The suspect barricaded himself inside an AMPM, armed with a handgun. SEB responded. The suspect exited the location and fired at deputies. The suspect was pronounced dead at the scene.
Location: [redacted] S. Beach Boulevard, La Mirada	

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☑ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other: AMPM

Lighting (*check only one*):
- ☑ Darkness
- ☐ Daylight
- ☑ Other
- ☑ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 25 yards

Incident Type (*check one or more*):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other: Barricade

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
8	2

Aero Unit? ☑ Canine Unit? ☑

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Gama	Ralph	M.	☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☑ Off Duty
[redacted]	Ethridge	Kevin	M.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Becerra	Israel	B.	☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name			M.I.
Street Address	City	Zip Code	Work Ph	Home Ph	
Last Name		First Name			M.I.
Street Address	City	Zip Code	Work Ph	Home Ph	
Last Name		First Name			M.I.
Street Address	City	Zip Code	Work Ph	Home Ph	

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Ruiz	Andy	U.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Corrales	Jose	A.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Dusky	Jeffrey	W.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Garcia	Rene	A.

PSTD Use Only

SH # ____________________

Officer Involved Shooting

URN: 016-16513-0468-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
11/22/2016	0300 hours	06/15/19	

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	Dang	Luan	
[redacted]	Mannion	Patrick	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	CO	38	N/A	N/A	NN	
E1	S1	FR	HK	23	Y	Y	NN	
S1	E2	FH	CO	38	N/A	N/A	NN	
E2	S1	FR	CO	23	Y	Y	DH	AB
S1	E3	FH	CO	38	N/A	N/A	NN	
E3	S1	FR	CO	23	Y	Y	DH	CH

Officer Involved Shooting
Involved Employee Information

URN: 016-16513-0468-013

Involved Employee

E 1

Employee #: [redacted]	Last Name: Cheshier	First Name: Casey	M.I.: R.
Sex: M Race: W	Rank: B-2	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): ESD Medic
ShiftTime (*circle only one*): [x] EM [ ] PM [ ] Day	ShiftType (*circle only one*): [x] Regular [ ] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [ ]
Hrs of sleep prior to shooting: 6-8 Duty Time (hrs): [redacted] Age: [redacted] Height: 603 Weight: 205		Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date:
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [x]	Number of Prior Shootings: 2 Directed Force: [ ]
Weapons Fired Brand: Heckler and Koch Caliber: .223 # Shots: 2		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E 2

Employee #: [redacted]	Last Name: Rodriguez	First Name: Juan	M.I.: P.
Sex: M Race: H	Rank: B-1	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): SED
ShiftTime (*circle only one*): [ ] EM [ ] PM [x] Day	ShiftType (*circle only one*): [ ] Regular [x] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [ ]
Hrs of sleep prior to shooting: 6-7 Duty Time (hrs): [redacted] Age: [redacted] Height: 603 Weight: 245		Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date:
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [x]	Number of Prior Shootings: 2 Directed Force: [ ]
Weapons Fired Brand: Colt Caliber: .223 # Shots: 3		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.:

E 3

Employee #: [redacted]	Last Name: Montenegro	First Name: Johnny	M.I.: C.
Sex: M Race: H	Rank: B-1	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): SED
ShiftTime (*circle only one*): [ ] EM [ ] PM [x] Day	ShiftType (*circle only one*): [ ] Regular [x] Overtime [ ] Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case #: Interviewed? [ ]
Hrs of sleep prior to shooting: 6-7 Duty Time (hrs): [redacted] Age: [redacted] Height: 508 Weight: 165		Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [x] Uniform w/ Vest	Other Factors:
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date:
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [x]	Number of Prior Shootings: 1 Directed Force: [ ]
Weapons Fired Brand: Colt Caliber: .223 # Shots: 3		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

Officer Involved Shooting
Suspect Information

URN: 016-16513-0468-013

Suspect Information

S 1

Last Name: Sly	First Name: Mark	M.I.: D.
AKA Last Name:	First Name:	M.I.:
Sex: M Race: W	Street Address: [redacted] City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #:
Driver's License #: [redacted]		
Age: 45 D.O.B. 02/03/1971	Height: 506 Weight: 230	FBI #: [redacted]
CII #: [redacted]		
Booking #:	Primary Charge:	Secondary Charge:
Coroner Case? ☑	Coroner Case # 2016-08457	Intoxication/Drug Usage? ☑
Substance Used: Methamphetamine		
Armed? ☑	Apprehended? ☑	Mental Illness? ☐
Criminal History? [redacted]		
Vehicle Make: Model: Year:	Parole: No Probation: No	Prior Felony Conviction: No

S

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:
Sex: Race:	Street Address: City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #:
CII #:		
Booking #:	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make: Model: Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:
Sex: Race:	Street Address: City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #:
CII #:		
Booking #:	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make: Model: Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:
Sex: Race:	Street Address: City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:
Driver's License #:		
Age: D.O.B.	Height: Weight:	FBI #:
CII #:		
Booking #:	Primary Charge:	Secondary Charge:
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐
Substance Used:		
Armed? ☐	Apprehended? ☐	Mental Illness? ☐
Criminal History? ☐		
Vehicle Make: Model: Year:	Parole: Probation:	Prior Felony Conviction:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
McDermott	Timothy	M.	#[redacted]			
Wienmann	Patrick	A.	#[redacted]			
Ruiz	Andy	U.	#[redacted]			
Corrales	Jose	A.	#[redacted]			
Reedy	Spencer	J.	#[redacted]			
Conti	Richard	B.	#[redacted]			
Moss	James	S.	#[redacted]			
Robert	William	H.	#[redacted]			

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-Duty Hit Shooting, Suspect Deceased**
IAB FILE NUMBERS:	**SH 2416630**
URN#:	**016-16513-0468-013**
DATE/TIME:	**November 21, 2016 / 2110 Hours**
LOCATION:	[redacted] **South Beach Boulevard, La Mirada**

SYNOPSIS

On November 22, 2016, Internal Affairs Bureau (IAB) investigators [redacted] Luan Dang, and Acting Lieutenant, Sergeant Pat Mannion, responded to the City of La Mirada regarding an on-duty hit shooting involving Special Enforcement Bureau (SEB) Deputies Casey Cheshier, Juan Rodriguez, and Johnny Montenegro. IAB Sergeant Chris Oakley was assigned the administrative review of the incident.

Sergeant Mannion confirmed the Watch Commander, Lieutenant Jeffery Dusky, took reasonable steps to ensure the involved personnel and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Sergeant Mannion also verified that the involved and witness personnel did not collectively consult with their attorney(s) or representative(s). Lastly, Sergeant Mannion checked with Lieutenant Dusky to see the involved and witness personnel gathered in the company of a supervisor, until they provided statements to the assigned investigators.

The incident was investigated by the Los Angeles County Sheriff's Department Homicide Bureau. The results of their investigation were documented in the Homicide Book, under URN 016-16513-0468-013 **[EXHIBIT A, Homicide Book].**

The case was reviewed by the Los Angeles County District Attorney's Office, Justice System Integrity Division (JSID) and the shooting was determined lawful. The basis of their determination was documented in a letter of opinion to Homicide Bureau Captain Christopher Bergner, dated August 29, 2018 **[EXHIBIT B]**.

SUMMARY

On November 21, 2016, at approximately 2110 hours, Mark Sly (Suspect Sly) entered the AMPM minimart, located at [redacted] South Beach Boulevard, La Mirada, armed with a revolver. Suspect Sly pointed the revolver at the lone employee, [redacted] (Witness [redacted]) and ordered him to leave the location **[EXHIBIT C, Video, CH6-21-01-52, Video mark 0:02:37]**. Witness [redacted] fled the location and asked a customer outside, to call police.

Suspect Sly proceeded to point the revolver at several customers who were outside the location, including Deputy Ralph Gama (Witness Gama), who was off duty **[EXHIBIT C, Video, CH18-20-38-10, Video mark 0:06:55]**. Suspect Sly told Witness Gama the AMPM was closed and stated, "I'm sorry I have to do this." Witness Gama believed Suspect Sly was committing an armed robbery and assumed patrons or employees were inside. Witness Gama retreated to his vehicle, drove across the street, and notified Norwalk Station.

A robbery in progress call was dispatched (Tag 340) **[EXHIBIT A, Homicide Book, Pages 21-25]**. Deputy Kevin Ethridge (Unit 46K1) was assigned as the handling unit. Deputies Mark Claahsen (Unit 46K3), Timothy McDermott (Unit 46K5), Israel Becerra (Unit 46T1), and Patrick Weinmann (Unit 48) responded as assisting units. Sergeants Andy Ruiz (Unit 46GS) and Jose Corrales (Unit 48S) also responded.

Deputy Ethridge directed responding units to L-TAC and requested an airship **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:02:18]**. Deputy Ethridge coordinated the call on L-TAC and instructed the assisting units to contain the location **[EXHIBIT C, Radio Transmissios, L-TAC, Audio Mark 0:01:20]**. Updates to the call informed the responding deputies Suspect Sly was holding the clerk at gunpoint **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:02:30]** and pointing a gun at customers **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:02:56]**.

IAB Note: Dispatch 13 is the assigned primary radio channel for Norwalk Station.

IAB Note: L-TAC is the local tactical frequency assigned to individual stations and used for routine patrol operations.

Deputy Claahsen was the first unit to arrive on scene. He approached the location from the southwest portion of the driveway. Deputy Claahsen immediately saw Suspect Sly standing in the doorway of the location, armed with a revolver. Deputy Claahsen deployed his M4 rifle, took cover behind a vehicle parked near the gas pumps, and activated the duplex patch.

IAB Note: The duplex patch, or the patch, allows all units on a dispatch radio frequency to communicate directly, without the need for a dispatcher to relay information.

Deputy Claahsen advised his observations over the radio and requested additional resources to respond Code-3 **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:04:22]**. Deputy Claahsen gave Suspect Sly numerous commands to "drop the gun." Suspect Sly did not respond to the commands.

IAB Note: Code-3 is the radio code for units responding with lights and siren.

Deputy Becerra responded and took a position with Deputy Claahsen in the parking lot. Deputy Ethridge, Deputy McDermott and Sergeant Ruiz set up south of the location, near the apron of the parking lot. Deputy Weinmann and Sergeant Corrales took positions at the north side of the parking lot.

As additional personnel arrived, Sergeants Ruiz and Corrales formed two arrest teams, one to the north and one to the south **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:36:28]**. Each team consisted of a sergeant, designated shooters, deputies with less-lethal options, deputies assigned to give verbal commands, and deputies designated to take Suspect Sly into custody. The less-lethal options were initially Tasers, Stunbag Shotguns, and later supplemented with the SL-6 Arwen **[EXHIBIT C, Radio Transmissions, C-TAC1 (1), Audio Mark 0:20:56]**. A command post was also established.

Suspect Sly repeatedly approached the front automatic doors of the location. He yelled and pointed at deputy personnel with his left hand. The deputies on scene continually gave verbal commands and loud speaker (PA) announcements for Suspect Sly to surrender. Suspect Sly did not respond to the commands.

Additional resources were requested from neighboring patrol stations to assist with evacuating nearby businesses and conduct traffic control.

Sergeant Rodolpho Cortez (Unit E918L), of the Crisis Negotiations Team (CNT), was in the City of Norwalk on an unrelated call when this incident began. He quickly received permission from the Norwalk Station watch commander to contact Suspect Sly.

Approximately 22 minutes after the initial robbery call was dispatched, Sergeant Cortez placed a call to the AMPM business line and began speaking with Suspect Sly **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:23:04; EXHIBIT C, CNT Audio]**. Sergeant Cortez and the Norwalk Station watch commander, Lieutenant Jeffery Dusky, responded to the incident command post.

> **IAB Note:** Suspect Sly and Sergeant Cortez were speaking English During their conversations **[EXHIBIT C, CNT Audio]**.

Sergeant Richard Conti and Deputies Spencer Reedy and Adam Stoll of the Special Enforcement Bureau (SEB) K9 Detail, heard the emergent radio traffic and responded directly to the scene.

While en route to the AMPM, Sergeant Conti was able to coordinate with the Norwalk patrol deputies on scene and confirm there were no hostages inside the location **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:16:15 and 0:19:50]**. Sergeant Conti and Deputies Reedy and Stoll arrived on scene approximately 25 minutes after the initial robbery call was dispatched **[EXHIBIT C, Radio Transmissions, Dispatch 13, Audio Mark 0:27:18]**.

Once K9 personnel arrived, they assumed tactical control of the incident. Sergeant Conti confirmed arrest teams were established and each comprised designated shooters as well as less-lethal options **[EXHIBIT C, Radio Transmissions, C-TAC1 (1), Audio Mark 0:15:10]**. The arrest teams were then augmented with the additional less-lethal option of the K9.

Sergeant Conti and Deputies Reedy and Stoll evaluated the situation and conferred with Sergeant Cortez. The K9 personnel determined additional resources from SEB were necessary and they requested a Special Enforcement Detail (SED) response.

> **IAB Note:** SED personnel comprise the Sheriff's Department's special weapons team.

Additionally, the K9 personnel recognized the all glass store front of the [redacted] left deputy personnel dangerously exposed and gave Suspect Sly a tactical advantage. Therefore, Deputy Reedy requested deputies from the Emergency Services Detail (ESD) respond as quickly as possible with their armored life support vehicle (Med-Cat).

> **IAB Note:** ESD personnel are special weapons deputies who are also trained in advanced life support and certified as paramedics. Their armored vehicle (Med-Cat) is essentially an armored ambulance.

ESD Deputies Casey Cheshier and Rickey Hernandez responded in the Med-Cat. ESD Deputy James Moss responded separately for a quicker response.

During this time, Sergent Cortez made several calls to Suspect Sly and he engaged him in conversation. Several times, Supsect Sly stated he would possibly surrender. Each time; however, Suspect Sly failed follow through and would not comply with requests for him to surrender **[EXHIBIT C, CNT Audio]**. Sergeant Cortez relayed Suspect Sly's statements to personnel on scene via the command post.

The ESD deputies responded to the scene and were briefed by K9 personnel. The decision was made to remove patrol vehicles from the southwest portion of the parking lot and to replace them with the Med-Cat. Deputy Cheshier was assigned as a designated shooter to provide lethal protection for personnel while the Med-Cat was maneuvered into place.

As the Med-Cat was moving into position, Suspect Sly appeared at the doorway of the AMPM. Due to the angle the Med-Cat was positioned in relation to the doorway, Deputy Cheshier could see Suspect Sly was holding a revolver behind his back. Suspect Sly was yelling and waiving toward personnel at the Med-Cat. Numerous deputies on scene gave Suspect Sly commands to put down the firearm and surrender.

Suddenly, Suspect Sly swung the revolver from behind his back, toward the front of his body. Deputy Cheshier feared for his partner's lives and fired two rounds at Suspect Sly with his Department issued rifle **[EXHIBIT C, Video, CH1-22-23-40, Video mark 0:15:55]**. Suspect Sly retreated back inside the location. Deputies conducted a roll call and confirmed no personnel were injured.

The situation remained static for several minutes. Sergeant Cortez made additional contact with Suspect Sly who indicated he was not injured by the gunfire. Suspect Sly made numerous requests to Sergeant Cortez, including asking for news media, family members and a pastor to respond to the scene **[EXHIBIT C, CNT Audio]**. Suspect Sly was drinking alcohol inside the location, and as time passed, he became more and more agitated.

Deputy Moss made call outs via the PA system in the Med-Cat ordering Suspect Sly to surrender. Moments later, Suspect Sly fired a single shot from inside the location, out toward the northern arrest team **[EXHIBIT C, Video, CH6-23-35-01, Video mark 0:22:40]**. Information was broadcast via the radio that Suspect Sly fired the round. An additional roll call was conducted and no personnel were injured.

SED Deputies Robert, Rodriguez, and Montenegro responded to the scene. Deputy Robert, the Red Team Scout, assumed tactical control of the incident. Deputy Montenegro was assigned to a designated shooter position in the turret of the Med-Cat. Deputy Rodriguez was assigned as a secondary designated shooter and positioned near the front, driver's side of the Med-Cat. Other SED personnel arrived on scene and were assigned to relieve patrol personnel within the arrest teams.

The decision was made to move the northern arrest team out of the parking lot and behind a block wall to the north. They were to remain there as a containment position. Direction was relayed to personnel on scene that all communication with Suspect Sly would take place from the arrest team on the south. Personnel were also informed that any shots, if needed, would be taken by SED designated shooters located near the Med-Cat.

After a few moments, Suspect Sly quickly approached the front door of the location holding a revolver in his right hand. Deputy Moss, who was seated in the driver's seat of the Med-Cat, stated over the radio Suspect Sly was headed for front door. Deputy Montenegro communicated the same information to Deputy Rodriguez.

Suspect Sly was moving so quickly toward the front of the location, he had to pause, and force open the automatic doors. Suspect Sly exited the location, immediately raised the revolver, and fired two rounds toward the personnel in and around the Med-Cat. One of the rounds fired by Suspect Sly struck the passenger side of the Med-Cat **[EXHIBIT C, Photos, Bullet strike]**. Deputy Rodriguez and Deputy Montenegro were in fear for their lives and the lives of their partners. Deputy Rodriguez and Deputy Montenegro each fired three rounds from their Department issued rifles, striking Suspect Sly. Suspect Sly fell to his back, with the revolver lying near his head **[EXHIBIT C, Video, CH1-23-42-30, Video mark 0:06:25]**. The deputy involved shooting was voiced over the radio and the command post initiated a roll call.

The SED and ESD deputies on scene formulated a plan to render aid to Suspect Sly. The armored Med-Cat was driven up to the front of the location, SED deputies provided cover, and the ESD paramedics moved Suspect Sly behind the Med-Cat **[EXHIBIT C, Video, CH1-23-42-30, Video mark 0:07:36]**. ESD personnel rendered aid to Suspect Sly. He was ultimately pronounced dead at the scene **[EXHIBIT A, Homicide Book, page 19]**.

INVOLVED PERSONNEL

Employee

Casey Cheshier, #[redacted], Deputy Sheriff

Work History

Special Enforcement Bureau:	5/22/11
Date of Employment:	7/20/00
Date Assigned to Patrol/Lennox Station:	[redacted]
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	2
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Deputy Cheshier was wearing a Kevlar helmet, green SEB tactical uniform and entry vest. His uniform had the SEB logo and Department patches. His vest was equipped with the following equipment:

Holster with authorized duty weapon (Smith & Wesson M&P, 9MM), ammunition magazines (5), radio, flash bang device.

He was also wearing a tactical medical belt equipped with lifesaving medical gear.

Employee

Juan Rodriguez, #[redacted] Deputy Sheriff

Work History

Special Enforcement Bureau:	4/01/12
Date of Employment:	1/17/02
Date Assigned to Patrol/Compton Station:	[redacted]
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	2
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Deputy Rodriguez was wearing a Kevlar helmet, green SEB tactical uniform, and a green entry vest. His uniform and vest each had the SEB logo and Department patches. His vest was equipped with the following equipment:

Ammunition magazines (2), flash bang device, first aid kit.

He was also wearing a tactical duty belt equipped with the following:

Drop holster with authorized duty weapon (Smith & Wesson M&P, 9MM), ammunition magazines (2).

Employee

John Montenegro, #[redacted] Deputy Sheriff

Work History

Special Enforcement Bureau:	4/18/10
Date of Employment:	5/25/94
Date Assigned to Patrol/Century Station:	[redacted]
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	1
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Deputy Montenegro was wearing a Kevlar helmet, green SEB tactical uniform, and a green entry vest. His uniform and vest each had the SEB logo and Department patches. His vest was equipped with the following equipment:

Gas mask, ammunition magazines (2), radio, flashbang device.

He was also wearing a tactical duty belt equipped with the following:

Drop holster with authorized duty weapon (Sig Sauer Model P226, 9MM), ammunition magazines (2).

SUSPECT INFORMATION

Mark Sly Deceased
MW/02-03-71 CII [redacted]

Suspect Sly's Consolidated [redacted] Reporting System report was included in the Homicide Book **[EXHIBIT A, Homicide Book, pages 168-177]**

SUSPECT'S INJURIES

Suspect Sly sustained two gunshot wounds to the left chest, one gunshot wound to the left torso, one gunshot wound to the left pelvis, two gunshot wounds to the left leg, and one gunshot wound to the left arm. The wounds to the left chest were determined to be fatal **[EXHIBIT A, Homicide Book, Autopsy Report, pages 178-180]**.

DEPUTY PERSONNEL INJURIES

No deputy personnel were injured.

PHYSICAL EVIDENCE

All physical evidence located at the scene was identified and collected by Senior Criminalists Manuel Munoz, [redacted] and Flyn Lamas, [redacted] of the Scientific Services Bureau, under the direction of Homicide Investigators **[EXHIBIT A, Homicide Book, pages 102-108]**.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Investigators, Detective Adam Kirste, #[redacted] and Sergeant Robert Gray, #[redacted] **[EXHIBIT A, Homicide Book, pages 26-33]**.

The scene was photographed by Forensic Identification Specialists Michael Bayer, #[redacted], and Donna Thomas, #[redacted] of the Scientific Services Bureau **[EXHIBIT B, Location Photos]**

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Cheshier fired two rounds of Department issued .223 caliber ammunition from his Department issued Heckler and Koch, 416D rifle. The weapon was examined by the Scientific Services Bureau Firearms Identification Section and determined to be functional **[EXHIBIT A, Homicide Book, pages 109-110]**.

Deputy Montenegro fired three rounds of Department issued .223 caliber ammunition from his Department issued Colt, M4 rifle. The weapon was examined by the Scientific Services Bureau Firearms Identification Section and determined to be functional **[EXHIBIT A, Homicide Book, pages 109-110]**.

Deputy Rodriguez fired three rounds of Department issued .223 caliber ammunition from his Department issued Colt, M4 rifle. The weapon was examined by the Scientific Services Bureau Firearms Identification Section and determined to be functional **[EXHIBIT A, Homicide Book, pages 109-110]**.

WEAPONS USED BY SUSPECT

Suspect Sly fired three rounds from a Colt .38 caliber revolver. The revolver was reported stolen to the Los Angeles Police Department, by the registered owner, in March, 1983 **[EXHIBIT A, Homicide Book, page 93]**.

PROPERTY DAMAGE

The damage to the location was documented in **[EXHIBIT A, Homicide Book, page 30-32; EXHIBIT C, Photos, Damage]**.

CRIMINAL INVESTIGATORS

The criminal investigation into the shooting was handled by Homicide Bureau Detectives Phillip Martinez, #[redacted] and Kevin Acebedo, #[redacted] No charges were filed, as Suspect Sly was deceased.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during nighttime hours. The scene was illuminated by overhead parking lot lights from the business at the location. The weather was clear and cool.

RADIO TRANSMISSIONS

Personnel utilized Dispatch 13, L-TAC, and C-TAC through the duration of the incident. Radio traffic from all three frequencies are contained on one flash drive, for a duration of 2 hours, 43 minutes, and 37 seconds **[EXHIBIT C, Radio Transmissions]**. The following is a timeline of pertinent radio transmissions, as documented on the recordings.

> **IAB Note:** C-TAC is a dedicated tactical radio frequency which allows personnel to communicate without disrupting normal patrol operations.

Dispatch 13 (Real time 2111 Hours – 2159 Hours)

Audio mark	
0:01:33	Armed robbery in progress call dispatched at [redacted] South Beach Boulevard, La Mirada (AMPM).
0:01:42	46K1 assigned the handle, responding Code-3.
0:01:55	46K3 assigned the assist, responding Code-3.
0:02:18	46K1 directs units to L-TAC for containment and requests Aero.
0:02:30	Call updated, suspect holding clerk at gunpoint.
0:02:40	SCC requests Aero.
0:02:56	Call updated, customers see firearm pointed at them.
0:03:26	Call updated, male inside store with one employee.
0:03:59	46K4 responding Code-3.
0:04:21	48 responding Code-3
0:04:22	46K3 requests emergency clearance, broadcasts emergent traffic of Suspect Sly at the doorway, requests additional units Code-3.
0:05:10	46K3 advises Suspect Sly is armed with a firearm and has moved back inside the location and coordinates the containment of the location.
0:05:21	Aero acknowledges the call
0:06:36	46GS arrives on scene
0:06:45	46GS requests Buena Park Police and Fullerton Police respond for traffic control.
0:06:55	unknown unit advised enough units on scene and to cancel any further Code-3 responses.
0:07:30	46K3 advises Suspect Sly has a firearm in his right hand he is a possible insane person.
0:08:50	46K3 requests units to begin evacuations of other businesses and advises he cannot see any employees inside of the location.
0:11:30	SCC advised K9 is en route.
0:13:18	46K3 advised Suspect Sly is at the door with a gun in his right hand.
0:14:30	48B advised the command post is at the 24 hour fitness.
0:15:21	46K3 advised there are several AR-15 rifles deployed.
0:16:15	242K9S request deputies to confirm if anyone is inside with Suspect Sly.
0:17:10	Aero is on scene.
0:19:50	Unknown unit advised there are no customers or employees inside the location.
0:23:04	E918L advised CNT is in contact with Suspect Sly inside the location.
0:26:35	E918L advised Suspect Sly is engaged in conversation with CNT.
0:27:15	46GS advised K9 is on scene.
0:31:30	Unknown unit advises there is an arrest team with designated shooters and less-lethal options set up to the south. Requests the same of the arrest team to the north.
0:32:07	Unknown unit advised the arrest team to the north also has less-lethal options.

0:36:28 46GS advised there is an arrest team set up to the north and south and each has designated shooters and less-lethal options.
0:45:33 Unknown unit advised there are no residences or structures in the line of fire or to the rear of the location.
0:46:13 Unknown unit advised all units to switch to C-TAC 1.

<u>L-TAC</u> (Real time 2111 Hours – 2157 Hours)

<u>Audio mark</u>
0:01:20 46T1 coordinates the call and contains the location
0:02:20 Norwalk desk advised Suspect Sly was still inside the location.
0:02:30 Unknown unit requested less-lethal.
0:02:58 46K3 advised he is activating the patch.
0:04:29 Unknown unit advised the Norwalk desk to request additional outside units for evacuations and traffic control.
0:07:40 41S advised he is setting up the command post at Lowes.

<u>C-TAC 1</u> (1) (Real time 2201 Hours – 2359 Hours)

<u>Audio mark</u>
0:02:32 46GS advised Fullerton P.D. made contact with the manager of the location and the manager has real time video inside location.
0:07:00 Fire is staging at the station to the north.
0:13:10 Unknown unit requested additional units to evacuate all business across from location.
0:15:10 46GS advised arrest team to the north they are to have two designates shooters as well as less-lethal per K9 sergeant.
0:16:00 E918L advised CNT has good rapport with suspect and he may surrender.
0:17:37 46GS requested a shield.
0:18:12 unknown unit advised if suspect exits location, all commands will come from team on the south side.
0:24:15 Med-Cat is on scene.
0:34:40 46GS advised all personnel on the south side are accounted for.
0:35:18 46GS advised that SEB will handle everything from the south side, units on the north side are for containment only.
0:45:45 SEB requested an ambulance be staged on Hillsborough and Beach.

<u>C-TAC 1</u> (2) (Real time 0002 Hours – 0346 Hours)

<u>Audio mark</u>
0:00:15 Unknown unit request units to verify they were not hit by gunfire.
0:00:50 Unknown unit advised units to standby for a roll call.
0:01:56 Command post begins a roll call.
0:09:00 Command post advised to standby for a roll call.

0:09:30	Command post conducts a roll call.
0:12:42	SEB clearing the location.
0:17:17	Unknown unit requests a canopy to cover Suspect Sly's body.

SURVEILLANCE VIDEO

The incident was captured on 18 surveillance cameras inside and outside of the location as well as by a news crew positioned across the street to the west. The digital recordings are listed by camera number and start time of the recording. The video marks listed are the running times of the individual videos and not related to time of day.

IAB personnel utilized four surveillance camera views and the news footage which show the actions of Suspect Sly during the incident and at the time of the shootings. CH1 is an interior camera directed toward the front entrance. CH6 is an interior camera directed toward the cash register. CH16 is an exterior camera mounted north of the entrance, facing a southwest direction. CH18 is an exterior camera mounted south of the entrance, facing a northwest direction. The footage from the four camera views utilized, as well as the news footage, is recorded on a flash drive **[EXHIBIT C, Video]**. The following is a list of pertinent videos.

CH1-21-01-10

Video mark	
0:03:10	Suspect Sly entered the location for the first time
0:04:35	Suspect Sly is seen at the door, waiving a revolver at customers.

CH1-22-23-40

Video mark	
0:15:55	Suspect Sly is seen in the doorway as the first deputy involved shooting occurs.

CH1-23-42-30

Video mark	
0:06:25	Suspect Sly quickly exited the location, raised his revolver and fired two shots. The second deputy involved shooting occurred.
0:07:36	SEB deputies approach Suspect Sly with the armored vehicle and render aid.

CH6-21-01-52

Video mark	
0:02:37	Suspect Sly pointed his revolver at Witness [redacted]

CH6-23-35-01

Video mark
0:22:40 Suspect Sly fired a single round from inside the location out toward deputies.

CH16-22-16-21

Video mark
0:20:10 The first deputy involved shooting occurred. This view showed the positioning of the SEB Med-Cat.

CH16-22-54-45

Video mark
0:26:05 The second deputy involved shooting occurred. This view showed the positioning of the SEB Med-Cat.

CH18-20-38-10

Video mark
0:06:55 Deputy Gama parked his vehicle and exited. He appeared to react to Suspect Sly by pausing, raising his hands and returning to his vehicle.

CH18-22-47-05

Video mark
0:20:40 The second deputy involved shooting occurred. This view showed the muzzle flash and direction of Suspect Sly's shots.

CBS News footage

Suspect Sly was shown exiting the location and firing his weapon. The video was stopped prior to deputies returning fire. The audio of the deputies' shots can be heard. The footage then depicted SEB deputies approaching the location in the armored Med-Cat.

The complete recordings of all 18 surveillance cameras are saved on two flash drives [**EXHIBIT D, Surveillance Video**].

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

INVOLVED EMPLOYEE DEPUTY CASEY CHESHIER

On November 22, 2016, Involved Employee Deputy Casey Cheshier was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Marquez at the SEB office. Deputy Cheshier was interviewed on May 29, 2019, by IAB Sergeants Chris Oakley and Luan Dang at the IAB office. During the IAB interview, Deputy Cheshier utilized two aerial photographs for reference. The photographs were individually marked as #1 or #2 **[EXHIBIT E]**. Deputy Cheshier marked the initial positions of the Med-Cat on photograph #2.

Deputy Cheshier was at SEB headquarters when he was requested to respond to an AMPM in La Mirada by Deputy Reedy. Deputy Reedy's request indicated the need for ESD medics and an armored vehicle due to a robbery suspect who was barricaded in the location and armed with a handgun. The AMPM had an all glass front and the deputies on scene were completely exposed. The request for armor was deemed "paramount."

Deputy Cheshier and Deputy Hernandez responded with the armored Med-Cat. Deputy Hernandez was driving. Deputy Moss also responded. During the drive, Deputy Cheshier heard Suspect Sly was in telephone communication with CNT personnel.

Deputy Cheshier and Deputy Hernandez responded directly to the scene and approached from the south side of the location. As they arrived, Deputy Cheshier could see several patrol deputies and K9 personnel using patrol vehicles for cover. Deputy Cheshier could also see Suspect Sly moving around in the rear of the location.

Deputy Reedy directed Deputies Cheshier and Hernandez to position the Med-Cat in the parking lot to protect the arrest team. Deputy Reedy assigned Deputy Cheshier the role of designated shooter and explained patrol personnel would handle the other arrest team responsibilities.

Deputy Hernandez moved the Med-Cat into the parking lot. It was south of the AMPM, facing a northwest direction, approximately 20 yards from the front entrance. Deputy Cheshier realized this position left the rear of the Med-Cat exposed and would subject anyone being loaded in the rear to danger. He directed Deputy Hernandez to reposition the Med-Cat further south.

As this was taking place, Deputy Moss advised over the radio he could see Suspect Sly approaching the front doors of the location with a revolver in his right hand. Suspect Sly stood in the doorway yelling incoherently. Patrol deputies began giving Suspect Sly commands. From his position, Deputy Cheshier could clearly see Suspect Sly was holding a revolver behind his back **(Cheshier Homicide Bureau Transcript, page 5)**. The barrel of the revolver was pointed in a southwest direction, toward Deputy Cheshier.

Suspect Sly was very agitated, shouting, and pointing at the arrest team deputies with his left hand. Suspect Sly moved the revolver from the small of his back and brought it toward the front of his body. Deputy Cheshier believed Suspect Sly was about to shoot at deputies **(Cheshier Homicide Bureau Transcript, page 6)**.

Fearing for his life and the lives of the arrest team deputies, Deputy Cheshier fired a single shot at Suspect Sly. Suspect Sly flinched, moved back from the threshold of the doorway and turned completely around. Suspect Sly turned his body to the north and Deputy Cheshier feared Suspect Sly was going to shoot at the deputies who were positioned to the north **(Cheshier Homicide Bureau Transcript, page 6)**. Fearing for their safety, he fired one more round at Suspect Sly. The second shot struck the window south of the entrance doors, and Suspect Sly retreated to the rear of the location.

Deputy Cheshier estimated he was approximately 25 yards from Suspect Sly when he fired. His backdrop was the interior of the store and a steep hillside to the rear. He did not have any crossfire concerns because Deputy Reedy placed all personnel in positions away from the location, out of the line of fire. There were no objects or personnel between Deputy Cheshier and Suspect Sly at the time of the shooting. Based on Suspect Sly's positioning, the arrest teams' positioning, and the immediate threat posed by the armed suspect, Deputy Cheshier did not believe there was time to deploy a less-lethal option at the moment he fired **(Cheshier IAB Transcripts, pages 14-23)**.

Shortly after firing his weapon, Deputy Cheshier was relieved of the designated shooter position and secured his rifle in the Med-Cat. He transitioned to the role of medic and began to prepare the medical equipment should it be needed.

Additional SEB personnel arrived, including Deputy Robert, who assumed tactical control of the scene. Moments later, Suspect Sly fired a single round out of the location, shattering a window located north of the entrance doors. A roll call was conducted to ensure no personnel were injured. Deputy Cheshier remained in the rear of the Med-Cat.

Shortly thereafter, Suspect Sly charged toward the front doors of the AMPM. He exited and fired twice in the direction of approximately 10 personnel who were in or near the Med-Cat. One round struck the Med-Cat on the passenger side, between the door and the window **[EXHIBIT C, Photos, Bullet strike]**. Deputy Cheshier was inside the Med-Cat at the time, looking out that very window **(Cheshier IAB Transcript, page 27)**. It appeared to Deputy Cheshier that Suspect Sly was firing directly at him. Deputy Cheshier saw the second muzzle flash and then heard approximately 5-6 shots fired by deputies. Suspect Sly fell to the ground outside the location with the revolver landing near his head **(Cheshier Homicide Bureau Transcript, pages 10-11)**.

Deputy Cheshier, Deputy Robert and the other ESD deputies formulated a plan to safely render aid to Suspect Sly. The Med-Cat was driven up to the front of the AMPM. SED deputies secured the location, and Suspect Sly was carried to the rear of the Med-Cat. The ESD deputies provided advanced medical care; however, Suspect Sly was ultimately pronounced dead at the scene.

Deputy Cheshier returned to SEB headquarters and remained with a supervisor pending his interview with Homicide Bureau investigators.

INVOLVED EMPLOYEE DEPUTY JUAN RODRIGUEZ

On November 22, 2016, Involved Employee Deputy Juan Rodriguez was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Marquez at the SEB office. Deputy Rodriguez was interviewed on May 30, 2019, by IAB Sergeants Chris Oakley and [redacted] at the IAB office. During the IAB interview, Deputy Rodriguez utilized two aerial photographs for reference. The photographs were individually marked as #1 or #2 **[EXHIBIT F]**. Deputy Rodriguez marked the position of the Med-Cat at the time of the shooting on photograph #2.

Deputy Rodriguez responded to the location regarding the armed robbery suspect. He responded directly to the location and contacted Deputy Robert, who was in tactical control of the scene. Deputy Robert briefed Deputy Rodriguez and informed him Suspect Sly was inside the location, armed with a handgun and an ESD deputy had fired at Suspect Sly moments before. Deputy Rodriguez was assigned to a designated shooter position within the turret of the Med-Cat.

Deputy Rodriguez took his position and he was able to see inside the location and monitor Suspect Sly. Suspect Sly paced around the interior and was periodically talking on the telephone. Deputy Rodriguez monitored Suspect Sly for several minutes.

At some point during the incident, Suspect Sly fired a round out of the location. Deputy Rodriguez told Homicide investigators this happened while he was positioned in the turret, although he did not see it. During his interview with IAB investigators, he believed the shot happened prior to his arrival.

Eventually, Deputy Rodriguez was relieved from his position in the turret by Deputy Montenegro. Deputy Rodriguez was part of the SEB Red Team, which had tactical control of the incident. Deputy Rodriguez was reassigned as designated shooter within the arrest team. Deputy Rodriguez positioned himself toward the front of the Med-Cat where he used the engine compartment for cover. From this position, he was approximately 25 yards from the entrance.

Deputy Rodriguez observed Suspect Sly move from the rear of the store toward the front. Suspect Sly took several deep breaths and charged toward the front doors. Deputy Rodriguez could see a revolver in Suspect Sly's right hand. Suspect Sly moved quickly, but stalled as he had to wait for the automatic doors to open.

Once the doors opened, Suspect Sly exited and pointed the revolver directly at the personnel near the Med-Cat. Suspect Sly fired 2-3 shots. Deputy Rodriguez heard the shots and saw muzzle flashes. Fearing for his life and the lives of the personnel near the Med-Cat, Deputy Rodriguez fired three times at Suspect Sly. Suspect Sly collapsed just outside the entrance doors. The revolver fell near Suspect Sly, but in a position where Deputy Rodriguez could no longer see it **(Rodriguez Homicide Bureau Transcript, pages 7-9)**.

In addition to his own shots, Deputy Rodriguez heard approximately two shots come from Deputy Montenegro in the turret. Deputy Rodriguez' backdrop was the interior of the store and a steep hillside behind it. He did not have any objects or personnel in his field of fire and he had no concerns for crossfire. The arrest team duties were well briefed and no personnel were near the AMPM **(Rodriguez IAB Transcript, pages 8-13)**.

Following the shooting, a roll call was conducted and a plan was put in place to provide medical aid to Suspect Sly. SEB deputies approached the location using the Med-Cat as cover. ESD deputies moved Suspect Sly behind the Med-Cat and began medical treatment. Deputy Rodriguez was directed to stay back because he was involved in the shooting.

Once the location was cleared and the scene was secure, Deputy Rodriguez returned to SEB headquarters and remained with a supervisor until Homicide Bureau investigators arrived.

INVOLVED EMPLOYEE DEPUTY JOHN MONTENEGRO

On November 22, 2016, Involved Employee Deputy John Montenegro was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Marquez at the SEB office. Deputy Montenegro was interviewed on May 29, 2019, by IAB Sergeants Chris Oakley and Luan Dang at the IAB office. During the IAB interview, Deputy Montenegro utilized two aerial photographs for reference. The photographs were individually marked as #1 or #2 **[EXHIBIT G]**. Deputy Montenegro marked the position of the Med-Cat at the time of the shooting on photograph #2.

Deputy Montenegro responded to the AMPM regarding the armed robbery call. Upon his arrival, he was briefed by Deputy Robert. Deputy Montenegro was informed Suspect Sly was inside the location, armed with a handgun, and no hostages were inside. He was also informed Suspect Sly had fired a shot from inside the location.

Deputy Montenegro was directed to replace Deputy Rodriguez in the turret of the Med-Cat and assume the role of a designated shooter. He was also tasked with monitoring the movements of Suspect Sly and providing intelligence.

Deputy Montenegro utilized the armored hatch of the turret as cover and positioned himself to the right of the hatch. From this position, he was able to clearly see inside the AMPM. Deputy Montenegro's rifle was equipped with a magnified scope. Using this, he could easily follow Suspect Sly's movements within the store.

Deputy Montenegro saw Suspect Sly moving about the store, and occasionally speaking on the phone. Suspect Sly approached the front of the location. Suspect Sly appeared to retrieve something from one of the display cases, and waived his hands at Deputy Montenegro. Suspect Sly was drinking alcohol and smoking and appeared to become more agitated. At times, Deputy Montenegro could see Suspect Sly holding a handgun.

At one point, Suspect Sly raised his hand, as if in gesture or toast. Suspect Sly appeared as though he began to breathe heavily and moved deliberately toward the front doors. Deputy Montenegro had Suspect Sly in sight with the assistance of his scope. Once Suspect Sly cleared the displays, Deputy Montenegro could see a pistol in his hand. Suspect Sly continued toward the front doors. Deputy Montenegro announced his observations to nearby personnel.

Deputy Montenegro maintained observation on Suspect Sly as he moved. Suspect Sly slowed for the automatic doors and then quickly exited. As he passed the threshold of the doorway, Suspect Sly brought his left arm up as if to cover his face. Simultaneously, he raised the firearm up and fired two rounds toward the arrest team near the Med-Cat. Out of fear for his safety and the safety of the deputies in the arrest team, Deputy Montenegro fired 2-3 rounds at Suspect Sly. Suspect Sly fell immediately and his handgun fell near his head **(Montenegro Homicide Bureau Transcript, pages 4-5)**.

Deputy Montenegro told IAB investigators his shots were controlled. His backdrop was the unoccupied industrial building and its contents. There was nothing between him and Suspect Sly at the time of the shooting.

Deputy Montenegro did not have any concerns about crossfire because he knew the other personnel were to the north and west of the location. Deputy Montenegro said approximately 2-3 seconds passed from the time Suspect Sly charged the front doors until the time Deputy Montenegro fired. He did not believe there was time for any other options **(Montenegro IAB Transcript, pages 8-12)**.

Following the shooting, SEB personnel developed a plan to approach Suspect Sly. The Med-Cat was moved up to the front of the AMPM. SED deputies secured the location while ESD paramedics moved Suspect Sly behind the Med-Cat. It was not certain at the time if Suspect Sly was the only suspect in the AMPM. For this reason, a cautious approach to the location was necessary **(Montenegro IAB Transcript, pages 12-13)**.

Once the location was cleared, Deputy Montenegro returned to SEB headquarters and waited with a supervisor for Homicide Bureau investigators to respond.

WITNESS DEPUTY RALPH GAMA

On November 22, 2016, Witness Deputy Ralph Gama was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the incident command post. Witness Gama was interviewed on June 4, 2019, by IAB Sergeant Chris Oakley at the IAB office. During the interview with IAB, Witness Gama was represented by Attorney Steven Welch from the Law Firm of Rains, Lucia, Stern.

On November 21, 2016, at approximately 2110 hours, Witness Gama drove to the AMPM. He was off duty at the time, unarmed, and dressed in civilian clothing. Witness Gama parked his vehicle south of the main entrance and walked toward the front doors. As he neared the entrance, he saw Suspect Sly standing in the threshold of the location. Suspect Sly told Witness Gama the AMPM was closed. Witness Gama continued walking toward the entrance.

Suspect Sly raised a silver handgun and pointed it at Witness Gama. Suspect Sly again stated the AMPM was closed and added, “I’m sorry I have to do this.” Witness Gama described Suspect Sly’s demeanor as angry and distraught. Witness Gama feared he was about to be shot and quickly returned to his vehicle. He drove across the street from the location and parked, maintaining a view of the front of the AMPM. Based on the actions of Suspect Sly, Witness Gama believed an armed robbery was taking place and other customers or employees were possibly still inside the AMPM.

Witness Gama used his personal cell phone and called the direct business line of Norwalk Station. He described his observations, and maintained his view of the location while awaiting deputies to arrive.

Witness Gama did not see Suspect Sly leave the location or interact with anyone else prior to the arrival of deputies. He saw multiple patrol units arrive and set up a containment around the AMPM. From his position, he was unable to hear any commands from the deputies once they arrived on scene. He remained at his position until directed to the command post by a responding deputy. Witness Gama stayed at the command post for the remainder of the incident and did not see the deputy involved shootings.

WITNESS DEPUTY KEVIN ETHRIDGE

On May 16, 2019, Witness Deputy Kevin Ethridge was interviewed by IAB Sergeants Chris Oakley and [redacted] at the La Mirada Sheriff's Substation.

On November 21, 2016, at approximately 2112 hours, Deputy Ethridge, Unit 46K1, was assigned the handle on a robbery in progress call at the AMPM on Beach Boulevard in La Mirada. Deputy Ethridge directed his assisting units to L-TAC and requested an airship. While en route to the location, Deputy Ethridge coordinated a containment of the location via L-TAC. He directed units to set up positions to the north, south and rear of the location.

Prior to his arrival, Deputy Ethridge heard Deputy Claahsen broadcast emergent radio traffic via the patch. Deputy Claahsen advised he could see Suspect Sly inside the location armed with a handgun.

Deputy Ethridge responded to the north side of the location, parked his vehicle and approached on foot. Several other units were already on scene as well as several citizens in the area. Deputy Ethridge directed the citizens away from the area and attempted to identify any witnesses. Deputy Ethridge could see Suspect Sly inside the location and noticed he was armed with a small revolver.

One of the patrol units was parked closer to the location, and a deputy was giving PA announcements for Suspect Sly to surrender. Suspect Sly did not respond to the commands, but continued to approach the front door and then retreat back inside several times. The deputies on the north side formed an arrest team which included patrol rifles and less-lethal options **(Ethridge IAB Transcript, page 5-6)**.

After approximately ten minutes, Deputy Ethridge left the location and responded to the command post. At the command post, he maintained a log and monitored radio traffic. He noted CNT personnel were in contact with Suspect Sly quickly because they were already in the Norwalk Station area due to a previous unrelated call.

Deputy Ethridge was not present at the location during either of the deputy involved shootings.

WITNESS DEPUTY MARK CLAAHSEN

On November 22, 2016, Witness Deputy Mark Claahsen was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the La Mirada Substation.

Deputy Claahsen, Unit 46K3, responded to the armed robbery in progress call at the AMPM as an assisting unit and was first to arrive on scene. Upon his arrival, he was flagged down by a citizen who pointed toward the front door of AMPM. Deputy Claahsen could see Suspect Sly standing in the doorway, holding a revolver. He was not able to see anyone else inside the location.

Deputy Claahsen deployed his M4 rifle and gave Suspect Sly several commands to "put the gun down." Suspect Sly did not respond to the commands and retreated inside the store. Deputy Claahsen took cover behind a white pickup truck which was parked near the gas pumps, southwest of the front entrance. He broadcast emergent radio traffic of his observations and requested additional units to respond. Deputy Claahsen's backdrop was the interior of the store, and he noted there were no civilians in the area **(Claahsen Homicide Bureau Transcript, page 2)**.

Deputy Claahsen described Suspect Sly as acting like a "caged animal" because he was quickly pacing back and forth inside the store. Suspect Sly approached the front door several times, and on one occasion, he was holding a paper bag or piece of cardboard. Suspect Sly was still holding the revolver in his right hand. Each time Suspect Sly approached the door, Deputy Claahsen gave him commands to "drop the gun." Deputy Claahsen did not fire his weapon at this time because Suspect Sly held the revolver down to his side and did not raise it.

Deputy Claahsen had a clear view of Suspect Sly inside the store. Suspect Sly appeared agitated and he continually paced back and forth while smoking cigarettes. Deputy Becerra joined Deputy Claahsen at his position. The two deputies remained there for several minutes, observing Suspect Sly and updating other personnel of his actions. Deputy Claahsen also assisted in coordinating the evacuation of the area and nearby businesses. A short time later CNT personnel advised over the radio they were in contact with Suspect Sly.

Eventually, SEB K9 deputies arrived and moved Deputies Claahsen and Becerra from their position. They joined the K9 deputies and other personnel behind several radio cars parked south of the AMPM entrance.

Additional SEB personnel arrived and decided to move the radio cars from the parking lot and replace them with the Med-Cat. As the Med-Cat was moving into position, Suspect Sly came to the doorway, "ranting and raving." At this time, an SEB deputy who was positioned near the Med-Cat, fired two rounds at Suspect Sly. He did not appear to be struck by the gunfire.

Deputy Claahsen remained positioned behind the Med-Cat as part of an arrest team. The arrest team had two members assigned with less-lethal options, a Taser and an Arwen.

Suspect Sly remained inside the store, speaking to CNT personnel on the phone for several more minutes. At one point, Suspect Sly fired a single round out of the window immediately north of the entrance. Both SEB and the command post conducted roll calls to make sure no personnel were injured. After the shot was fired by Suspect Sly, SEB had all deputies on the north side of the parking lot move behind a block wall separating the AMPM from a fire station.

Approximately 30 minutes later, Deputy Claahsen heard a volley of gunfire. He described the volley as 2-3 shots immediately followed by 4-6 shots. He was positioned behind the Med-Cat and did not see the shooting take place. After the gunfire, he saw Suspect Sly down near the front door. Deputy Claahsen was unable to see if Suspect Sly had a weapon.

SEB personnel moved the Med-Cat up to the front of the location. Suspect Sly was moved behind the Med-Cat and SEB deputies began rendering first aid to him.

WITNESS DEPUTY ISRAEL BECERRA

On November 22, 2016, Witness Deputy Israel Becerra was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the La Mirada Substation. Deputy Becerra was interviewed on May 16, 2019, by IAB Sergeants Chris Oakley and [redacted] at the La Mirada Substation.

Deputy Becerra, Unit 46T1, responded Code-3 to the robbery in progress call at AMPM as an assisting unit. He was the second unit to arrive on scene. He parked his vehicle on Hillsborough Drive, east of the location in a position to block traffic from entering the area. He proceeded on foot and met up with Deputy Claahsen who had taken cover behind a white pickup truck which was parked west of the main entrance. From that position, Deputy Becerra was able see the entire front of the AMPM. He did not see any customers in or around the location.

Moments after Deputy Becerra arrived, Suspect Sly approached the front doors of the AMPM. Suspect Sly was shouting and waiving a revolver around in his right hand. The revolver remained pointed downward; however, Suspect Sly swung it left and right and forward and back. Suspect Sly appeared "irate and angry" and he was shouting "leave me alone."

Deputy Claahsen ordered Suspect Sly multiple times to "put the gun down." Suspect Sly went back inside the store and returned a few seconds later, holding a piece of brown paper or cardboard. He dropped the item and retreated back inside the store. Suspect Sly paced about the store for approximately 20-30 minutes.

At that point, two SEB K9 deputies arrived and began coordinating with other patrol deputies who were on scene. It was also announced over the radio that CNT personnel were making telephone contact with Suspect Sly.

Deputy Becerra moved toward the K9 deputies and took cover behind their vehicles. He was directed to join an arrest team and assigned to handle the Taser and a shield. The arrest team also included a designated shooter **(Becerra Homicide Bureau Transcript, page 14)**.

Additional SEB deputies arrived in an armored vehicle. The SEB deputies were moving the armored vehicle into position when one of the deputies fired two shots at Suspect Sly. The deputy who fired was standing near the front left fender of the armored vehicle. Deputy Becerra believed the shots fired by the SEB deputy were in response to a single shot fired by Suspect Sly from inside the location.

Deputy Becerra and the other deputies on his arrest team took cover behind the armored vehicle. They remained there for several minutes while CNT personnel spoke with Suspect Sly. During this time, the arrest team members discussed tactics based on several possible scenarios they may encounter, depending on Suspect Sly's actions.

As additional SEB personnel arrived, they began replacing patrol deputies on arrest teams. At some point during this lull in the incident, Deputy Becerra heard a single round fired from inside the store. This caused SEB personnel to decide to remove the deputies from the north side of the containment.

CNT personnel continued their attempt to convince Suspect Sly to surrender. SEB deputies also made several PA announcements ordering Suspect Sly to give up. Suspect Sly remained inside the location, pacing back and forth.

Moments later, Deputy Becerra heard 2-3 shots coming from the area of the store followed by approximately four shots coming from the area of the SEB deputies. Deputy Becerra did not see Suspect Sly at the time of the shooting and he did not see who fired the shots.

Deputy Becerra heard information broadcast over the radio indicating Suspect Sly was down. SEB deputies approached Suspect Sly with the armored vehicle. They moved him behind the vehicle and provided medical aid. Once Suspect Sly was moved from where he had fallen, Deputy Becerra was able to see a revolver on the ground outside the front of the AMPM.

WITNESS DEPUTY TIMOTHY MCDERMOTT

On November 22, 2016, Witness Deputy Timothy McDermott was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the La Mirada Substation. Deputy McDermott was interviewed on May 16, 2019, by IAB Sergeants Chris Oakley and [redacted] at the La Mirada Substation.

Deputy McDermott, Unit 46K5, heard the call of an armed robbery at the AMPM and responded as an assisting unit. While en route to the location, Deputy McDermott heard radio traffic indicating Suspect Sly was armed and the location had been cleared of civilians. Upon his arrival, Deputy McDermott set up near the south entrance to the parking lot. Several other deputies were already on scene.

Deputy McDermott could see Suspect Sly inside the location, armed with a revolver. Deputy McDermott heard other deputies giving PA announcements ordering Suspect Sly to surrender **(McDermott Homicide Bureau Transcript, page 2)**. Suspect Sly approached the front doors several times and yelled in the direction of deputies. Deputy McDermott could not understand what Suspect Sly was yelling.

Eventually, Deputy McDermott was assigned to an arrest team with approximately four other deputies. The team possessed and less-lethal options although he could not remember which weapons were assigned. Deputy McDermott was armed with his handgun and assigned as a designated shooter. His backdrop was the interior of the store and a hill behind the store. He did not have any concern for crossfire as the store was to his east and other deputies were to his north.

Approximately 10-15 minutes later, an SEB member, possibly K9, arrived on scene. The SEB deputy confirmed the patrol deputies had formed arrest teams with designated roles. Deputy McDermott was re-designated as one of the deputies who would take Suspect Sly into custody.

A short time later, an SEB armored vehicle arrived at the location. The armored vehicle moved into the south side of the parking lot and took the place of radio cars. Once the armored vehicle was in the parking lot, Suspect Sly came to the front doors holding a revolver in his hand. Suspect Sly lifted the revolver and pointed it out toward deputies. One of the SEB deputies near the armored vehicle fired two shots, shattering one of the glass storefront windows **[EXHIBIT C, Photos, Damage]**. Suspect Sly ran back into the location **(McDermott IAB Interview, pages 10-11)**.

Several minutes after the first shooting, Deputy McDermott heard a single shot fired from inside the location. The shot shattered the glass on the north side of the doors. A roll call was conducted to make sure all personnel were safe. Deputy McDermott remained as part of the arrest team, positioned behind the armored vehicle.

Approximately 30 minutes after the single shot was fired, Deputy McDermott saw Suspect Sly quickly exit the store. Suspect Sly turned to his left and raised his revolver in the direction of the armored vehicle. Deputy McDermott immediately took cover behind the armored vehicle. He heard what sounded like three gunshots coming from Suspect Sly, followed by four shots coming from SEB deputies. Deputy McDermott did not see who fired any of the shots.

Deputy McDermott stayed in his position as several SEB deputies approached Suspect Sly. Suspect Sly was moved behind the armored vehicle and provided with medical aid.

Deputy McDermott did not have any further involvement.

WITNESS DEPUTY PATRICK WEINMANN

On November 22, 2016, Witness Deputy Patrick Weinmann was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the La Mirada Substation. Deputy Weinmann was interviewed on May 16, 2019, by IAB Sergeants Chris Oakley and [redacted] at the La Mirada Substation.

Deputy Weinmann, Unit 48, said he responded to the robbery in progress call at AMPM. He was directed to take a position to the north by Deputy Claahsen. Deputy Weinmann stopped his vehicle by the north driveway entrance. He deployed his AR-15 patrol rifle and took cover behind a minivan parked near the northwest corner of the location. From his position, he could see the entire storefront and several customers in the parking lot. Deputy Weinmann directed the customers to evacuate the area.

Shortly after Deputy Weinmann's arrival, Suspect Sly came to the doorway of the location holding a revolver in his right hand. Suspect Sly was pointing the revolver down toward the ground and shouting at deputies. Both Deputies Weinmann and Claahsen gave Suspect Sly commands to put the gun down. Deputy Weinmann heard Suspect Sly state "I'm not gonna shoot," and "get channel 7." Suspect Sly went back into the store. Moments later, he approached the front door and dropped a piece of cardboard outside **(Weinmann Homicide Bureau Transcript, page 2)**.

Additional deputies arrived on scene and took positions with Deputy Weinmann near the minivan. Two arrest teams were formed, one to the north and one to the south. Information was also broadcast over the radio stating CNT personnel were in contact with Suspect Sly.

Soon, deputies from SEB arrived with an armored vehicle. Suspect Sly approached the front doors holding a revolver in his right hand. Additional commands were given to him to drop the gun. Suddenly, two shots were fired from the area of the armored vehicle, striking the glass south of the entrance doors. Suspect Sly retreated back inside the location. Deputy Weinmann did not see who fired the two shots.

Following the first shooting, Suspect Sly fired a single round from inside the location, out toward the north, shattering the window north of the entrance **[EXHIBIT C, Photos, Damage]**. Deputy Weinmann and the other deputies on the north side retreated to the fire station and took cover behind a block wall. Deputy Weinmann was still able to see the front of the AMPM. The deputies at the fire station were told to remain behind cover and advised that any shots taken at Suspect Sly would be from the south side.

Approximately 15-20 minutes later, Suspect Sly approached the front doors of the location "very rapidly." He exited the doors with his arm outstretched, holding a revolver. Deputy Weinmann heard approximately 3-4 shots and saw Suspect Sly fall to the ground. Deputy Weinmann did not see who fired the shots.

A few minutes later, SEB deputies drove the armored vehicle toward the front of the AMPM. The deputies appeared to move Suspect Sly from where he had fallen. Deputy Weinmann could not see what happened with Suspect Sly after he was moved.

WITNESS SERGEANT ANDY RUIZ

On November 22, 2016, Witness Sergeant Andy Ruiz was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the La Mirada Substation. Sergeant Ruiz was interviewed on May 14, 2019, by IAB Sergeants Chris Oakley and [redacted] at the La Mirada Substation.

Sergeant Ruiz, Unit 46GS, responded to the robbery in progress call at the AMPM. He arrived approximately 3-5 minutes after the call was dispatched. Sergeant Ruiz drove directly to the scene and parked his vehicle on Hillsborough Drive, south of the south parking lot apron. Deputy Claahsen and one or two other deputies were already on scene.

Sergeant Ruiz immediately began managing the incident. He ensured personnel had the location contained and he quickly began to form an arrest team south of the location. Sergeant Ruiz assigned less-lethal, arrest deputies, and designated shooter roles to the arrest team **(Ruiz Homicide Bureau Transcript, pages 2-3)**. Sergeant Ruiz also ensured there was an arrest team on the north side of the location. Sergeant Ruiz could not recall which less-lethal weapons he assigned or who he assigned them to.

Sergeant Ruiz did not have a clear view of Suspect Sly inside the location; however, he was in radio communication with deputies who had an unobstructed view. They were able to determine there were no customers or employees inside the location.

K9 personnel arrived on scene followed by other SEB personnel in an armored vehicle. Sergeant Ruiz directed deputies on scene to move radio cars which were in the parking lot to make room for the armored vehicle. As the armored vehicle entered the parking lot, Sergeant Ruiz briefly saw Suspect Sly standing at the doorway of the AMPM. Sergeant Ruiz looked away and heard two gunshots. When he looked back toward the storefront, he saw broken glass and could no longer see Suspect Sly.

Sergeant Ruiz did not see who fired the shots but believed they were fired by deputy personnel. Following the shots, a roll call was conducted to account for all personnel on scene.

The situation became static and more SEB personnel arrived. The SEB deputies began to relieve patrol deputies from their positions. Sergeant Ruiz moved his vehicle south of Hillsborough Drive and held an outer containment position. He was no longer able to see the store front.

Sergeant Ruiz heard several shots later in the incident but did not see who fired them. He did not have any further involvement in the incident.

WITNESS SERGEANT JOSE CORRALES

On November 22, 2016, Witness Sergeant Jose Corrales was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the La Mirada Substation. Sergeant Corrales was interviewed on May 15, 2019, by IAB Sergeants Chris Oakley and [redacted] at the La Mirada Substation.

Sergeant Corrales, Unit 48S, responded to the armed robbery in progress call. During his response, he heard radio updates that Suspect Sly was armed with a gun and still inside the AMPM. He arrived on the south side of the location and contacted Sergeant Ruiz and other deputies who were present. At the time of his arrival, several citizens were in the area and deputies were escorting them away from the scene.

Sergeant Ruiz formed a contact team on the south side of the location. The team members had assigned roles for less-lethal, designated shooter and arrest positions. Sergeant Ruiz tasked Sergeant Corrales with forming a contact team on the north side of the location. Sergeant Corrales repositioned himself on the northwest side of the AMPM. He coordinated with deputies who were on the north and established an arrest team. Sergeant Corrales designated less-lethal, arrest, and shooter roles.**(Sergeant Corrales Homicide Bureau Transcript, page 3)**. He did not specifically recall which less-lethal weapons were assigned.

From his position on the north, Sergeant Corrales could see Suspect Sly pacing back and forth inside the store. At one point, Sergeant Corrales saw Suspect Sly approach the front doors holding a gun in his hand.

During this time, Sergeant Corrales heard over the radio that CNT personnel were in contact with Suspect Sly and Suspect Sly may intend to surrender. SEB K9 personnel arrived soon after and assumed tactical control of the scene.

Additional SEB personnel arrived and shortly after, Sergeant Corrales heard two gunshots and saw glass shatter south of the entrance **[EXHIBIT C, Photos, Damage]**. He did not see who fired the shots but they sounded as if they came from the south. Following the shots, a roll call was conducted.

After a "long wait," Sergeant Corrales saw glass shatter from the window north of the entrance **[EXHIBIT C, Photos, Damage]**. It was communicated to him the glass was shattered from a shot fired from inside the business. Following that shot, Sergeant Corrales retreated behind a block wall at the fire station to the north. He and his team were eventually relieved of their duties by SEB personnel. He remained in his position near the fire station.

Moments after he was relieved by SEB personnel, Sergeant Corrales heard approximately 3-4 gunshots. He did not see the shooting but believed the shots came from rifle fire. Another roll call was conducted to check on the personnel in the area. Shortly thereafter, he saw SEB personnel approach Suspect Sly who was on the ground outside the doors of the AMPM. The SEB deputies moved Suspect Sly behind an armored vehicle to treat him.

Sergeant Corrales had no other involvement.

WITNESS SERGEANT RODOLFO CORTEZ

On June 25, 2018, Witness Sergeant Rodolfo Cortez was interviewed by Homicide Bureau Detective Kevin Acebedo.

Sergeant Cortez, working in his role as a Crisis Negotiation Team member, heard the armed robbery call in the City of La Mirada, broadcast over the radio. He monitored the call and heard the updates of an armed suspect inside the location. Sergeant Cortez made telephone contact with Suspect Sly **(Cortez Homicide Bureau Transcript, page 2)**.

Sergeant Cortez placed a call to the business line of the AMPM. Suspect Sly answered the call and was calm and talkative. He did not seem to be suffering from any mental health issues. Sergeant Cortez and Suspect Sly quickly developed a rapport. Suspect Sly complained about the trailer park where he lived and requested the news media to respond. He also requested to speak with his [redacted] and a [redacted] **(Cortez Homicide Bureau Transcript, page 3-4)**.

Sergeant Cortez was able to speak to Suspect Sly's neighbor and played a recording of the neighbor for Suspect Sly. He also attempted to convince Suspect Sly to put his gun down and surrender. He assured Suspect Sly he would not be hurt if he complied with deputies' orders. Despite the repeated requests, Suspect Sly would not surrender **(Cortez Homicide Bureau Transcript, page 4-5)**.

Sergeant Cortez repeated his pleas for Suspect Sly to surrender during multiple phone calls over several hours. Shortly after midnight, Suspect Sly disconnected their phone call and Sergeant Cortez heard several gunshots. Sergeant Cortez was at the command post and not able to see the location or the shooting.

WITNESS DEPUTY SPENCER REEDY

On November 22, 2016, Witness Deputy Spencer Reedy was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Martinez at the SEB office. Deputy Reedy was interviewed on May 22, 2019, by IAB Sergeants Chris Oakley and [redacted] at the Special Enforcement Bureau.

Deputy Reedy heard emergent radio traffic of an armed robbery suspect inside of the AMPM. Based on the serious nature of the call, he and his K9 team responded directly to the scene. While en route, he attempted to determine if any hostages were inside the location.

Upon his arrival, Deputy Reedy contacted deputies who were positioned near the south driveway. He confirmed the deputies already had two arrest teams established and outfitted with lethal and less-lethal options. Deputy Reedy noted the use of a K9 is an additional less lethal option.

Deputy Reedy did not have any concerns for crossfire situations based on where the teams were positioned. Deputy Reedy coordinated with the deputies on scene as well as his supervisor, Sergeant Conti. He and Sergeant Conti quickly determined the situation required a full response from SEB **(Reedy IAB Transcript, pages 5-6)**.

Deputy Reedy was concerned about the exposure of the arrest teams because the entire front of the location was glass. He believed the quick arrival of an armored vehicle was critical for their safety **(Reedy IAB Transcript, page 7)**. Additionally, the location had one exit door to the south which put the deputies in a precarious position. Deputy Reedy repositioned several patrol personnel to safer, more tactically sound positions pending the arrival of SEB deputies.

Eventually, the ESD Med-Cat armored vehicle arrived on scene. The ESD deputies, including Deputy Cheshier, were positioning the vehicle in the driveway to provide cover for the arrest teams. Deputy Cheshier was assigned as a designated shooter to provide protection for personnel while the vehicle was maneuvered. Deputy Reedy heard over the radio that Suspect Sly was approaching the door. He went to retrieve his K9 partner, as an additional less-lethal option. Suddenly, he heard two gunshots which he believed came from the area of the Med-Cat. He did not see who fired the shots.

After the initial shots were fired, additional SEB personnel began arriving on scene. They supplemented, and eventually replaced, deputies on the arrest teams. SEB personnel made PA announcements for Suspect Sly to surrender; however, he did not comply. During one of the announcements, Suspect Sly fired a single shot, out of the store, shattering the glass north of the door **[EXHIBIT C, Photos, Damage]**.

Several minutes later, Deputy Reedy heard approximately five shots fired. He was positioned behind his vehicle and did not see the shots or Suspect Sly. He heard over the radio Suspect Sly was down. Following the shooting, Deputy Reedy and other SEB personnel formulated a plan to provide aid to Suspect Sly. They approached Suspect Sly, using the Med-Cat for cover and ESD deputies moved Suspect Sly behind the armor in order to provided medical aid.

Deputy Reedy told IAB investigators there is always a concern for an additional suspects inside a location, or possibly, improvised explosive devices. That uncertainty is what necessitated the use of the Med-Cat armored vehicle to protect deputies as they provided aid to Suspect Sly **(Reedy IAB Transcript, page 12)**.

After Suspect Sly was moved behind the Med-Cat, SEB personnel cleared the location and determined there was no further threat.

WITNESS SERGEANT RICHARD CONTI

On November 22, 2016, Witness Sergeant Richard Conti was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Martinez at the SEB office. Sergeant Conti was interviewed on May 22, 2019, by IAB Sergeants Chris Oakley and [redacted] at South Los Angeles Station.

Sergeant Conti heard radio traffic of an armed suspect inside the AMPM in La Mirada. He initially believed it may have been a hostage situation **(Conti IAB Transcript, pages 2-3)**.

Sergeant Conti responded to the south side of the location. He could see Suspect Sly walking around the inside of the location. Sergeant Conti observed there were arrest teams established on both the north and south sides of the AMPM. He made contact with the Norwalk sergeants who were on scene and confirmed the situation was a barricaded suspect and not a hostage situation. Sergeant Conti ensured the arrest teams had designated shooters and less-lethal options, which he remembered were either the 40-millimeter baton launcher or a Stunbag shotgun **(Conti IAB Transcript, pages 3-4)**.

Sergeant Conti was aware CNT personnel were in contact with Suspect Sly and Suspect Sly was refusing to come out. He and Deputy Reedy evaluated the situation and determined a full response from SEB was necessary. After assuring the necessary resources were in place, Sergeant Conti responded to the command post to meet with the watch commander, Lieutenant Jeffery Dusky and the Norwalk Station captain, Captain Curtis Jensen, who were also present **(Conti IAB Transcript, pages 5-6)**.

While at the command post, Sergeant Conti learned ESD personnel had arrived and a deputy involved shooting occurred. Sergeant Conti returned to the scene and met with SEB Deputy Robert, who was the Red Team scout, and had assumed tactical command. Deputy Robert briefed personnel as they arrived and assigned them their positions. While this was taking place, deputies began PA announcements for Suspect Sly to surrender. During the announcements, Suspect Sly fired a single round from inside the location.

Sergeant Conti remained behind the Med-Cat as part of the arrest team and did not have a view of the front of the location. After several minutes, he heard approximately 5-6 gunshots which he recognized as .223 rifle rounds. Radio traffic was broadcast indicating Suspect Sly was down and a roll call was conducted.

Following the shooting, ESD deputies formulated a plan to use the armored Med-Cat to provide cover as they rendered aid to Suspect Sly. Sergeant Conti explained he has been involved in similar situations where a second unknown suspect has been found inside of the location. He added it is protocol to take precautions until a location is one hundred percent clear **(Conti Homicide Bureau Transcript, page 8-9)**.

Once Suspect Sly was moved to a safe location, SEB personnel cleared the location and confirmed there were no other suspects inside.

WITNESS DEPUTY RICKEY HERNANDEZ

On November 22, 2016, Witness Deputy Rickey Hernandez was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Martinez at the SEB office.

Deputy Hernandez responded to the location in the armored Med-Cat along with Deputy Cheshier. Deputy Hernandez was the driver. They were directed to respond to the south driveway, to provide cover for the deputies already present. Once he arrived, he saw the glass storefront of the AMPM and several deputies to the north and south who were very exposed.

Deputy Hernandez attempted to maneuver the Med-Cat into a position in the parking lot to provide the most cover. The Med-Cat was facing a north-northwest direction with the passenger side toward the front of the AMPM. Deputy Cheshier was positioned toward the front of the Med-Cat. As Deputy Hernandez was positioning the Med-Cat, Suspect Sly appeared at the front door of the location. Suspect Sly's lower body was covered by the side mirror of the Med-Cat. He appeared to be yelling; however, Deputy Hernandez could not hear him over the sound of the Med-Cat.

Deputy Hernandez backed up the Med-Cat to protect the arrest teams. The backing maneuver left Deputy Cheshier exposed to Suspect Sly. At this same time, Suspect Sly swung his arm and extended it. Deputy Cheshier fired a shot. Suspect Sly spun completely around and ran back inside while facing the deputies to the north. Deputy Cheshier fired a second shot. Suspect Sly retreated further inside the location **(Hernandez Homicide Bureau Transcript, pages 5-7)**.

Following the two shots, Deputy Hernandez and Deputy Cheshier moved to the rear of the Med-Cat and assumed more of paramedic roles. Information was broadcast that CNT personnel were in contact with Suspect Sly. Deputy Moss began to make multiple PA announcements. During the announcements, Suspect Sly fired a single shot out of the window north of the door.

A few minutes passed, and Deputy Hernandez momentarily walked away from the Med-Cat to gather more equipment. At that moment, he heard several gunshots and radio traffic indicating Suspect Sly was down.

Approximately five minutes after the shooting, Deputy Hernandez and other SEB personnel moved up toward the front of the location using the Med-Cat as cover. Deputy Hernandez could see Suspect Sly was injured and could also see a revolver on the ground near is head. Deputy Hernandez, Deputy Cheshier and Deputy Moss, carried Suspect Sly behind the Med-Cat and began medically treating him **(Hernandez Homicide Bureau Transcript, page 13)**.

WITNESS DEPUTY JAMES MOSS

On November 22, 2016, Witness Deputy James Moss was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Martinez at the SEB office. Deputy Moss was interviewed on May 16, 2019, by IAB Sergeants Chris Oakley and [redacted] at Aero Bureau. During the interview, Deputy Moss utilized two aerial photographs for reference. The photographs were individually marked as #1 and #2. Deputy Moss marked where the Med-Cat was positioned during both deputy involved shootings on photograph #2 **[EXHIBIT H]**.

Deputy Moss responded to the location at the request of K9 personnel. The request was for medics as well as the armored vehicle because the location had a glass front and the deputies on scene were very exposed. Deputies Hernandez and Cheshier responded in the Med-Cat.

When Deputy Moss arrived, he met with K9 personnel and the members of the arrest team on the south. He was informed Suspect Sly was inside the location, armed with a handgun, and it was believed no one else was inside. Deputy Moss deployed his rifle and was able to see Suspect Sly inside the location with the aid of a magnified scope. Suspect Sly was moving about the store, and Deputy Moss could see a revolver in his right hand. Deputy Moss advised personnel of his observations via the radio.

Deputy Hernandez and Deputy Cheshier arrived with the Med-Cat. The existing arrest team was augmented with the addition of the ESD personnel. Deputy Cheshier was designated the role of lethal force, Deputy Hernandez was the rescue medic, K9 was responsible for less-lethal and the patrol deputies were tasked with arrest responsibilities and verbal commands **(Moss IAB Transcript, page 6)**.

The decision was made to move the Med-Cat into the parking lot to provide more cover for the arrest team. Deputy Hernandez began to maneuver the Med-Cat into position. Deputy Moss took a position to the rear of the Med-Cat, still observing Suspect Sly through his scope.

Suspect Sly approached the front doors of the location. Deputy Moss announced this over the radio. When Suspect Sly reached the front doors, he was holding the revolver behind his back and yelling. Deputy Moss could see the revolver because he had a side view of Suspect Sly. Suspect Sly appeared agitated, aggressive and seemed to be shouting at deputies. Several deputies gave commands for Suspect Sly to put the gun down.

Suspect Sly moved his right hand from behind his back toward the front of his body. At that moment, Deputy Moss heard a shot and believed it came from Deputy Cheshier as he was the designated shooter. Suspect Sly started to move back into the location and Deputy Moss heard a second shot, almost simultaneous to the first. Suspect Sly retreated back into the location and a roll call was conducted.

Deputy Moss told IAB investigators, had Deputy Cheshier not fired, he would have. He was in immediate fear for the lives and safety of the deputies positioned to the north. They were exposed and did not have any armor for protection **(Moss IAB Transcript, page 7)**.

Deputy Moss temporarily took a position in the turret of the Med-Cat before being relieved by Deputy Rodriguez. He transitioned into a medic role and eventually took a position in the front seat of the Med-Cat. Deputy Moss was directed by Deputy Robert to make PA announcements. After the first few announcements, Suspect Sly fired a shot northwest out of the location, shattering the window **[EXHIBIT C, Photos, Damage]**.

Deputy Moss continued to make PA announcements stating "put the gun down," "come out, we're not going to hurt you." Additional SEB personnel arrived and Deputy Montenegro was positioned in the turret. Deputy Moss was able to keep constant observation on Suspect Sly from his position in the driver's seat of the Med-Cat.

Eventually, Suspect Sly quickly approached front door while still holding the revolver in his hand. He was forced to pause and wait for the automatic doors to open. Once he was able to clear the doors, Suspect Sly raised the revolver and fired 2-3 times directly at the Med-Cat and Deputy Moss. Deputy Moss saw Suspect Sly shoot and saw muzzle flashes **(Moss IAB Transcript, page 9)**.

Deputy Moss heard multiple rounds fired by SEB personnel and saw Suspect Sly fall to the ground. A roll call was conducted to ensure no deputy personnel were injured. The SEB and ESD personnel developed a plan to safely render aid to Suspect Sly.

The Med-Cat was driven as close as possible to Suspect Sly and the deputies used it as cover, not knowing if any other suspects may have been inside. Deputy Moss and Deputy Hernandez moved Suspect Sly behind the Med-Cat and began a medical assessment. Suspect Sly had several gunshot wounds to his chest, abdomen and thigh.

WITNESS DEPUTY WILLIAM ROBERT

On November 22, 2016, Witness Deputy William Robert was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Martinez at the SEB office. Deputy Robert was interviewed on May 16, 2019, by IAB Sergeants Chris Oakley and [redacted] at the Special Enforcement Bureau. During the interview, Robert was provided two aerial photographs of the location for reference **[EXHIBIT H]**.

Deputy Robert responded to the armed robbery call at the AMPM because he was the SEB Red Team Scout, and his team had tactical responsibility for the incident that evening **(Robert IAB Transcript, pages 2-3)**. He responded to the south side of the location. Just as he arrived, he heard over the radio that shots had been fired.

Deputy Robert approached the scene and spoke with the K9 personnel and ESD personnel who were present. Deputy Robert learned Suspect Sly was armed and did not have any hostages. He was also aware CNT personnel were communicating with Suspect Sly. Additionally, the command post was in contact with the manager of the AMPM and he was able to monitor a live feed of the surveillance cameras.

As additional SEB personnel arrived at the location, Deputy Robert used them to replace patrol personnel in the arrest teams. Deputy Robert made sure shooters were designated and less-lethal options such as the 40mm sponge round and K9 were available **(Robert IAB Transcript, page 13)**. While Deputy Robert was placing his personnel, Suspect Sly fired a round out of the location, shattering a window **[EXHIBIT C, Photos, Damage]**.

Eventually, more SEB personnel and resources arrived. Deputy Robert assigned Deputy Montenegro to a designated shooter role and positioned him in the turret of the Med-Cat. He also assigned Deputy Rodriguez as a designated shooter and positioned him near the front, driver's side of the Med-Cat.

Deputy Robert told IAB investigators he did not have any concerns regarding the designated shooter's backdrop or for possible crossfire. Besides the building itself, there was also a sound wall and hillside in the background. Crossfire concerns were mitigated because all personnel had been moved far back from the north side of the location **(Robert IAB Transcript, pages 9-10)**.

Deputy Robert was aware of an exterior door located on the south side of the AMPM which opened from the inside. As he was discussing ways to secure the door, he heard radio traffic indicating Suspect Sly was approaching the front door. Moments later, he heard 5-9 gunshots. He looked toward the front of the location and saw Suspect Sly was down and a gun was on the ground near him.

Not knowing if a second suspect was in the location, Deputy Robert improvised a plan which would allow ESD medics to safely render aid to Suspect Sly. The Med-Cat was driven up to the front of the AMPM for cover. Suspect Sly was moved behind the Med-Cat for medical treatment and SEB personnel cleared the location.

WITNESS [redacted]

On November 22, 2016, Witness [redacted] was interviewed by Homicide Bureau Sergeant Marcello Quintero and Detective Judy Loera at the incident command post.

Witness [redacted] was working inside the AMPM when Suspect Sly entered the location. Witness [redacted] was the sole employee and the only person inside the store. Suspect Sly approached Witness [redacted] while holding a gun in his right hand. Suspect Sly was shouting "fuck" and "fuck the police." He pointed the gun at Witness [redacted] and ordered him to leave the store. Witness [redacted] described the gun as small and "brownish-silverish."

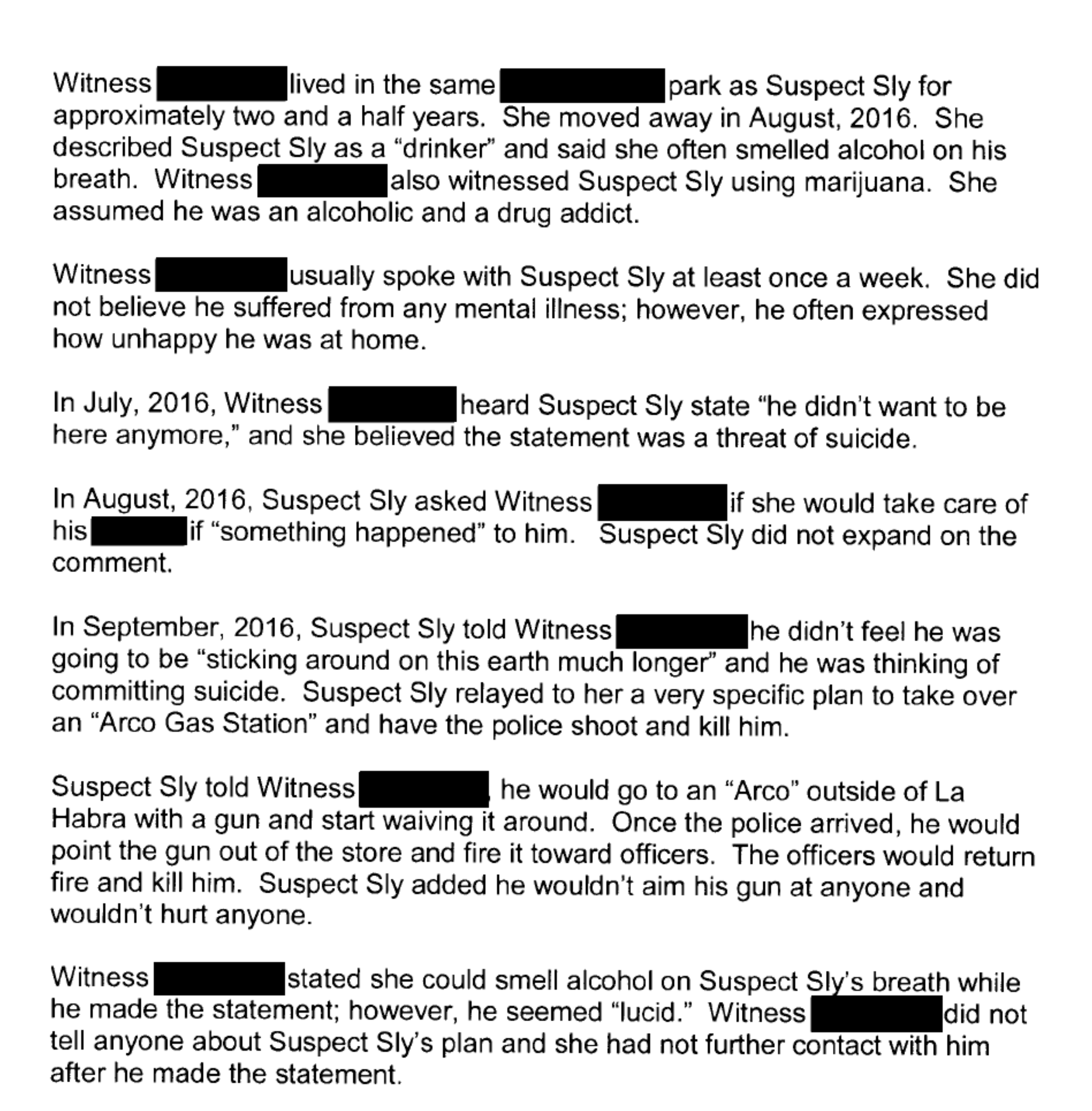
Witness [redacted] fled from the AMPM and ran toward a female customer who was near the gas pumps. He told the customer there was a man inside the AMPM with a gun and he asked her to call the police. Witness [redacted] waited near the fire station for police to respond.

Deputies responded very quickly. He believe it took less than a minute for the first deputy to arrive. The deputies deployed rifles when they arrived and they ordered Witness [redacted] to stay away. Eventually, Witness [redacted] was taken to the command post where he stayed for the remainder of the incident.

Witness [redacted] was not present at the scene when either of the deputy involved shootings occurred.

WITNESS [redacted]

On November 30, 2016, Witness [redacted] was interviewed by Homicide Bureau Detectives Kevin Acebedo and Philip Martinez at her home in [redacted].



Witness [redacted] lived in the same [redacted] park as Suspect Sly for approximately two and a half years. She moved away in August, 2016. She described Suspect Sly as a "drinker" and said she often smelled alcohol on his breath. Witness [redacted] also witnessed Suspect Sly using marijuana. She assumed he was an alcoholic and a drug addict.

Witness [redacted] usually spoke with Suspect Sly at least once a week. She did not believe he suffered from any mental illness; however, he often expressed how unhappy he was at home.

In July, 2016, Witness [redacted] heard Suspect Sly state "he didn't want to be here anymore," and she believed the statement was a threat of suicide.

In August, 2016, Suspect Sly asked Witness [redacted] if she would take care of his [redacted] if "something happened" to him. Suspect Sly did not expand on the comment.

In September, 2016, Suspect Sly told Witness [redacted] he didn't feel he was going to be "sticking around on this earth much longer" and he was thinking of committing suicide. Suspect Sly relayed to her a very specific plan to take over an "Arco Gas Station" and have the police shoot and kill him.

Suspect Sly told Witness [redacted], he would go to an "Arco" outside of La Habra with a gun and start waiving it around. Once the police arrived, he would point the gun out of the store and fire it toward officers. The officers would return fire and kill him. Suspect Sly added he wouldn't aim his gun at anyone and wouldn't hurt anyone.

Witness [redacted] stated she could smell alcohol on Suspect Sly's breath while he made the statement; however, he seemed "lucid." Witness [redacted] did not tell anyone about Suspect Sly's plan and she had not further contact with him after he made the statement.

ADDITIONAL INFORMATION

IAB investigators attempted to interview Deputy Mark Claahsen, who was assigned as Unit 46K3, on the day of the incident. Deputy Claahsen retired on January 31, 2019. Deputy Claahsen had an attorney contact IAB investigators on his behalf and would not commit to an interview prior to the conclusion of the investigation.

IAB investigators attempted to interview Deputy Rickey Hernandez, who was assigned to the Emergency Services Detail, on the day of the incident. Deputy Hernandez retired on March 28, 2017. He declined to be interviewed.

IAB investigators attempted to retrieve the calls made to Norwalk Station regarding the incident. Due to digital storage limits, the recorded phone calls were no longer available. The calls are stored for a period of two years.